

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.03.2017

Coram:

THE HONOURABLE JUSTICE M.SATHYANARAYANAN

W.P.No. 6341 of 2017 in

W.M.P.No.6838/2017

E. Amuthavalli .. Petitioner
Vs
1. The Joint Commissioner,
Hindu Religious & Charitable,
Endowment Department,
Admn.Department,
Salem.
2. The Assistant Commissioner,
Hindu Religious & Charitable,
Endowment Department,
Dharmapuri.
3. The Executive Officer,
Arulmighu Sivasubramaniaswami
Temple,
Kumarasamipet,
Dharmapuri TK & District. .. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records in the impugned Order in reference Pa.Ma.74/2005/Aa1 dated 16.02.2017 on the file of the Respondent No.1 and quash the same.

Petitioner : Mr.S.R.Sundaram

Respondents : Mr.M. Maharaja,
Special Government Pleader (HR & CE)

ORDER

Learned counsel appearing for the petitioner, after vehemently submitting arguments for some time, on instructions, seeks permission of this court to withdraw this Writ Petition with liberty to approach the Commissioner, Hindu Religious and Charitable Endowment Department, Chennai-34 by invoking Section

21 of the Tamilnadu Hindu Religious and Charitable Endowments Act 1959 and prays for an interim protection also made an endorsement to that effect.

2. Heard the submissions of Mr.M.Maharaja, learned Special Govt. Pleader appearing for the respondent.

3. In the light of the endorsement made, this Writ petition is dismissed as withdrawn. No costs. Consequently, the connected W.M.P.No.6838 of 2017 is closed. The petitioner is at liberty to file a Revision under section 21 of the Tamilnadu Hindu Religious and Charitable Endowments Act,1959 before the Commissioner of Hindu Religious and Charitable Endowment Department, Chennai-34 on or before 6.4.2017 and till such time, the 1st respondent shall defer further proceedings in pursuance of the order dated 16.2.2017 in Pa.Ma.74/2005/Aa1. It is also made clear that in the interregnum period, the petitioner shall not create any third party rights in respect of the property in question.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

msr/msv

To

1. The Joint Commissioner,
Hindu Religious & Charitable,
Endowment Department,
Admn.Department,
Salem.
2. The Assistant Commissioner,
Hindu Religious & Charitable,
Endowment Department,
Dharmapuri.
3. The Executive Officer,
Arulmighu Sivasubramaniaswami
Temple,
Kumarasamipet,
Dharmapuri TK & District.

4.The Commissioner,
Hindu Religious &
Charitable Endowment
Department,Chennai-34.

+1cc to M/s.S.R.Sundaram,Sr.16673

+1cc to Government Pleader sr.16950

W.P.No.6341 of 2017

NR(CO)
SS(21/3/2017)



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